

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

PRINCE MCCOY, SR.,

Plaintiff,

versus

EDWARD DELONE, *et al.*,

Defendants.

CIVIL ACTION NO. 1:20-CV-484

**ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Prince McCoy, Sr., an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983. The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting the defendants' motion to dismiss and dismissing the above-styled action for failing to state a claim upon which relief may be granted. Additionally, the magistrate judge recommends declining the exercise of supplemental jurisdiction. To date, the parties have not filed objections to the report.

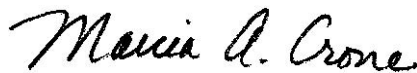
The court received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge is **ADOPTED**. It is

ORDERED that the defendants' motion to dismiss is **GRANTED**. It is further

ORDERED that, to the extent plaintiff's complaint may be interpreted as asserting state law claims, the court declines to exercise supplemental jurisdiction in this action pursuant to 28 U.S.C. § 1367(c). A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 21st day of March, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE